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UNITED STATES DISTRICT COURT
 DISTRICT OF NEW JERSEY

<p>FAMECO REAL ESTATE, L.P.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>TYLER BENNET, DANIEL SPECTOR, WINICK REALTY GROUP, LLC and WINICK REALTY GROUP LLC NJ,</p> <p style="text-align: center;">Defendants.</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>Case No. 12-CV-06102-JAP-TJB</p> <p>Civil Action</p> <p>NOTICE OF MOTION TO DISMISS DUE TO LACK OF SUBJECT MATTER JURISDICTION</p> <p>Motion date: December 3, 2012</p>
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TO: Eric Tunis, Esq.
 Greenbaum, Rowe, Smith & Davis
 Metro Corporate Campus One
 P.O. Box 5600
 Woodbridge, NJ 07095-0988

PLEASE TAKE NOTICE that the undersigned, attorneys for Tyler Bennett and Daniel Spector, shall move before the Honorable Joel A. Pisano, District Judge of the United States District Court, District of New Jersey, 402 E. State Street, Courtroom No. 1, Trenton, New Jersey, on the 3rd day of December 2012 for an Order dismissing the First Amended Complaint of Plaintiff, Fameco Realty, L.P., due to lack of subject matter jurisdiction.

PLEASE TAKE FURTHER NOTICE that the undersigned shall rely upon the annexed Declaration of Matthew Blaine and Brief. A form of Order is attached hereto.

LOMURRO, DAVISON, EASTMAN & MUNOZ, P.A.
Attorneys for Tyler Bennett and Daniel
Spector

/s/ Matthew K. Blaine
MATTHEW K. BLAINE, Esq.

Dated: November 9, 2012